

REMARKS

Claims 8-11, 14-22, 24, and 26-41 are all the claims pending in this application. By this Amendment, Applicants add new claims 26-41.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 4, 6, 7, 9, 11, 15, 17, 18, 20, and 22 contain allowable subject matter and would be allowable if rewritten in independent form. Applicants request the Examiner to hold in abeyance such rewriting of claims 9, 11, 20, and 21 until the Examiner has an opportunity to reconsider and withdraw the prior art rejection of the other claims.

Claims 4, 6, 7, 11, 15, and 17 were canceled in the previous Amendment filed on May 9, 2007. Moreover, Applicants submit that newly added claims 29, 31, 32, 36, 38, and 39 recite subject matter that was originally recited in claims 4, 6, 7, 15, 17, and 18, respectively. Therefore, Applicants submit that newly added claims 29, 31, 32, 36, 38, and 39 contain allowable subject matter.

Claim Rejections - 35 U.S.C. § 102

Claims 1-3, 5, 8, 10, 12-14, 16, 19, 21, 23, 24 and 25 are rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6, 865, 386 to Aoyama *et al* ("Aoyama"). For *at least* the following reasons, Applicants respectfully traverse the rejection.

As an initial matter, since claims 1-3, 5, 12-14, 16, 23 and 25 were canceled in the previous Amendment filed on May 9, 2007. Thus, the rejection of these claims are rendered moot.

Applicants respectfully submit claim 8 is patentable over Aoyama. For example, claim 8 recites that prior to the occurrence of said event said character is not related to said occurring event. The Examiner contends that column 6, lines 27-33 of Aoyama disclose that prior to the occurrence of an event in Aoyama, the character is not related to said event.

In this cited portion, Aoyama discloses that the telephone set automatically selects a character for display **at random**. The Examiner alleges that since the character is selected at random, there is no relation between the character and the event prior to the occurring event.

To expedite prosecution of this case, Applicants have amended claim 8 to recite that the character presentation means selects said character from among the stored plurality of said characters depending upon the history information corresponding to said event. This amendment is supported by *at least* page 16, lines 18-20, FIG. 13 and the description thereto starting at page 25, line 9 of the Specification.

That is, the character selection means **does not** select the character that is to be displayed/animated **at random** (Specification:). Rather the character selection means selects said character from among the stored plurality of said characters depending upon the history information corresponding to said event. Applicants respectfully submit that Aoyama does not disclose the above-noted feature of amended claim 8 in as complete detail as set forth in the claim. Accordingly, Applicants request the Examiner to withdraw the 35 U.S.C. § 102(e) rejection.

The remaining independent claims, namely claims 19, 24, 26, 33, 40, and 41 also recite, in some variation, the above-noted feature of claim 8. Therefore, claims 19, 24, 26, 33, 40, and 41 are patentable *at least* for reasons discussed above with respect to claim 8.

Claims 10, 21, 27, 28, 30, 34, 37, and 35 are patentable *at least* by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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